Case 10-10363-bif Doc 116-1 Filed 08/02/10 Entered 08/02/10 16:10:45 Desc Exhibit Page 1 of 2

DEFENDANTS LAMONT DRAINE	(Rev. 2/92) ADVERSARY PROCEEDING COVER SHE		RSHEET	ADVERSARY PROCEEDING NUMBER (Court Use Only)	
ATTORNEYS (Firm Name, Address, and Telephone No.) ATTORNEYS (If Known) Dave P. Adams ATTORNEYS (If Known) Alan M. Bredt 850 S. 2nd Street Philadelphia, PA 19107 PARTY (Check one box only) DI U.S. PLAINTIFF 2 U.S. DEFENDANT CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) NATURE OF SUIT (Check the one most appropriate box only.) ASTORNEYS (If Known) Alan M. Bredt 850 S. 2nd Street Philadelphia, PA 19147 PARTY (Check one box only) Discharge NATURE OF SUIT (Check the one most appropriate box only.) ASTORNEYS (If Known) Alan M. Bredt 850 S. 2nd Street Philadelphia, PA 19147 DISTRICT Now Party AUGUST (Check one box only) ASTORNEYS (If Known) Alan M. Bredt 850 S. 2nd Street Philadelphia, PA 19147 DISTRICT NOW Party AUGUST (Check one box only) ASTORNEYS (If Known) Alan M. Bredt 850 S. 2nd Street Philadelphia, PA 19147 DISTRICT NOW Party AUGUST (Check one box only) ATTORNEYS (If Known) ALan M. Bredt 850 S. 2nd Street Philadelphia, PA 19147 DISTRICT NOW Party AUGUST (Check one box only) ATTORNEYS (If Known) ALan M. Bredt 850 S. 2nd Street Philadelphia, PA 19147 DISTRICT NOW Party AUGUST (Check one box only) DIVISIONAL OFFICE NAME OF JUDGE PHILADEL STATES DEFENDANT DISTRICT NHIGH CASE IS PENDING BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING (IF ANY) PLAINTIFF DEFENDANT DISTRICT NHICH CASE IS PENDING BANKRUPTCY CASE NO. DIVISIONAL OFFICE NAME OF JUDGE PHILADEL (Check one box only) PELAITO ADVERSARY PROCEEDING (IF ANY) DEFENDANT ADVERSARY PROCEEDING NO. PELAITO ADVERSARY PROCEEDING (IF ANY) PLAINTIFF DEFENDANT ADVERSARY PROCEEDING NO. PELAITO ADVERSARY PROCEEDING (IF ANY) PLAINTIFF DEFENDANT ADVERSARY PROCEEDING OR PLAINTIFF)	PLAINTIFFS		DEFENDANTS		
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				(OR PLAINTIFF)	

B 104 Reverse (Rev. 2/92)

ADVERSARY PROCEEDING COVER SHEET (Reverse Side)

This cover sheet must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney) and submitted to the clerk of the court upon the filing of a complaint initiating an adversary proceeding.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Federal Rules of B ankruptcy Procedure, or the local rules of court. This form is required for the use of the clerk of the court to initiate the docket sheet and to prepare necessary indices and statistical records. A separate cover sheet must be submitted to the clerk of the court for each complaint filed. The form is largely self-explanatory.

Parties. The names of the parties to the adversary proceeding *exactly* as they appear on the complaint. Give the names and addresses of the attorneys if known. Following the heading "Party," check the appropriate box indicating whether the United States is a party named in the complaint.

Cause of Action. Give a brief description of the cause of action including all federal statutes involved. For example, "Complaint seeking damages for failure to disclose information, Consumer Credit Protection Act, 15 U.S.C. § 1601 et seq.," or "Complaint by trustee to avoid a transfer of property by the debtor, 11 U.S.C. § 544."

Nature of Suit. Place an "X" in the appropriate box. Only one box should be checked. If the cause fits more than one category of suit, select the most definitive.

Origin of Proceedings. Check the appropriate box to indicate the origin of the case:

- 1. Original Proceeding.
- 2. Removed from a State or District Court.
- 4. Reinstated or Reopened.
- 5. Transferred from Another Bankruptcy Court.

Demand. On the next line, state the dollar amount demanded in the complaint in thousands of dollars. For \$1,000 enter "1," for \$10,000 enter "10," for \$100,000 enter "100," if \$1,000,000, enter "1000." If \$10,000,000 or more, enter "9999." If the amount is less than \$1,000, enter "0001." If no monetary demand is made, enter "XXXX." If the plaintiff is seeking non-monetary relief, state the relief sought, such as injunction or foreclosure of a mortgage.

Bankruptcy Case in Which This Adversary Proceeding Arises. Enter the name of the debtor and the docket number of the bankruptcy case from which the proceeding now being filed arose. Beneath, enter the district and divisional office where the case was filed, and the name of the presiding judge.

Related Adversary Proceedings. State the names of the parties and the six digit adversary proceeding number from any adversary proceeding concerning the same two parties or the same property currently pending in any bankruptcy court. On the next line, enter the district where the related case is pending, and the name of the presiding judge.

Filing Fee. Check one box. The fee must be paid up on filing unless the plaintiff meets one of the following exceptions. The fee is not required if the plaintiff is the United States government or the debtor. If the plaintiff is the trustee or a debtor in possession, and there are no liquid funds in the estate, the filing fee may be deferred until there are funds in the estate. (In the event no funds are ever recovered for the estate, there will be no fee.) There is no fee for adding a party after the adversary proceeding has been commenced.

Signature. This cover sheet must be signed by the attorney of record in the box on the right of the last line of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

The name of the signatory must be printed in the box to the left of the signature. The date of the signing must be indicated in the box on the far left of the last line.